

REMARKS

Favorable reconsideration is respectfully requested.

The claims are 12-17.

New claim 12 incorporates the features of previous claims 1-3 and 5-7.

New claim 13 corresponds to previous claim 4 but depends on new claim 12.

New claims 14-17 are based on previous claims 8-11, respectively.

The significance of the above amendment will become further apparent from the remarks below.

Claims 1-10 have been rejected under 35 U.S.C. § 102(e) as unpatentable over Uetani et al. (US 6,383,713).

This rejection is respectfully traversed.

The rejection states that "while Uetani does not exemplify a copolymer of formulas (I), (II) and (IV) ... in the same amount".

In reply, it is clear that Uetani does not disclose or suggest new claim 12 as can be concluded from col. 7, lines 13-21 and col. 13, Synthetic Example 4 for Resin D and thus the rejection under 35 U.S.C. § 102 is untenable.

It is also apparent that a rejection under 35 U.S.C. § 103 would not be appropriate in view of the above amendment.

Claim 11 has been rejected under 35 U.S.C. § 103 over Uetani in view of Oomori. The rejection contends that Oomori discloses use of an aliphatic secondary or tertiary amine such as tertiary alkanolamines. In reply, since the base resinous ingredients in Uetani and Oomori are very different each from the other, there would be no motivation to combine the disclosures in these two references of very different scope without any linking disclosures therebetween before the benefit of the Applicants' own disclosure in this application. Note that Uetani is absolutely silent on the use of a trialkanolamine in their photoresist composition. Furthermore, the objects of the Uetani and Oomori inventions are very different.

For the forgoing reasons, it is apparent that the rejections on prior art are untenable and should be withdrawn.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

Hideo HADA et al.

By: Matthew Jacob

Matthew Jacob
Registration No. 25,154
Attorney for Applicants

MJ/lgs
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
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